

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS
TEXARKANA DIVISION

TONY GRIFFIN, SR.

PLAINTIFF

v.

Civil No. 13-406

DR. MELANIE D. JONES-FOSTER

DEFENDANT

ORDER

Tony Griffin, Sr., submitted this *pro se* action for filing. The Clerk is directed to file the complaint and application to proceed *in forma pauperis* (IFP).

The complaint concerns Plaintiff's medical treatment at the Wrightsville Unit of the Arkansas Department of Correction. The Wrightsville Unit is in Pulaski County. Pulaski County is within the Eastern District of Arkansas, Western Division.

For this reason, the Court finds the interests of justice would be best served by transferring this case to the United States District Court for the Eastern District of Arkansas, Western Division, Richard Sheppard Arnold United States Courthouse, 600 West Capitol Avenue, #A149, Little Rock, AR 72201. Venue would be proper in the Eastern District of Arkansas, as Plaintiff is incarcerated in Pulaski County, Arkansas, and the claims arise out of actions allegedly occurring there. See 28 U.S.C. § 1406(a).¹

The Clerk of the Court is directed to immediately TRANSFER PLAINTIFF'S ENTIRE CASE FILE to the Eastern District of Arkansas, Western Division, Richard Sheppard Arnold United States Courthouse, 600 West Capitol Avenue, #A149, Little Rock, AR 72201.

¹ "The district court of a district in which is filed a case laying venue in the wrong division or district shall dismiss, or if it be in the interest of justice, transfer such case to any district or division in which it could have been brought." *Id.*

The matter of service and the application to proceed IFP will be determined at a later date.

IT IS SO ORDERED this 31st day of October 2013.

US DISTRICT COURT
WESTERN DIST ARKANSAS
FILED

OCT 31 2013

CHRIS R. JOHNSON, Clerk

By

Deputy Clerk

/s/ Barry A. Bryant

HON. BARRY A. BRYANT

UNITED STATES MAGISTRATE JUDGE